

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARYLON BOYD, ET AL.,

Case No. C-04-05459 MMC (JCS)

Plaintiff(s),

v.

CITY AND COUNTY OF
SAN FRANCISCO, ET AL.,

**AMENDED ORDER DENYING WITHOUT
PREJUDICE DEFENDANTS' MOTION
FOR CERTIFICATION OF CONTEMPT
FINDINGS AGAINST JOE SANTIAGO
CAMPOS [Docket No. 118]; AND DENYING
DEFENDANTS' MOTION TO COMPEL
PLAINTIFFS TO ATTEND
PSYCHOLOGICAL EVALUATIONS
[Docket No. 125]**

Defendant(s). /

On July 31, 2006, Defendants filed a Motion for Certification for Contempt Findings Against Joe Santiago Campos¹ (the "Renewed Motion to Compel"), and on August 4, 2006, Defendants filed a Motion to Compel Plaintiffs to Attend Psychological Evaluations (the "Motion for Evaluation").

The Motions came on for hearing on September 8, 2006. Dennis Cunningham, counsel for Plaintiffs, appeared. Blake Loeks and Scott Wiener, counsel for Defendants, appeared.

IT IS HEREBY ORDERED THAT the Motion for Evaluation is DENIED. All Plaintiffs entered into a binding stipulation that they will not present, on motions or at trial, any expert witness opinions or testimony on the emotional distress, psychological or mental injury of any Plaintiff, and will not present any testimony or other evidence regarding any mental health or emotional counseling or treatment of any of the Plaintiffs.

IT IS HEREBY FURTHER ORDERED THAT the Renewed Motion to Compel is DENIED without prejudice. The parties stipulated, and the Court ORDERS, that Marylon Boyd shall have no

¹ At the hearing on September 8, 2006, the Court construed Defendants' Motion for Certification for Contempt Findings Against Joe Santiago Campos as a Renewed Motion to Compel the Deposition of Joe Santiago Campos.

1 contact with any percipient witnesses to the events of May 5, 2004, that underlie this action.
2 Counsel shall meet and confer to exchange lists of such percipient witnesses and, if the parties
3 cannot agree on a list, they will submit competing lists to Magistrate Judge Spero for a final
4 decision.

5 IT IS SO ORDERED.

6
7 Dated: September 12, 2006


8 JOSEPH C. SPERO
United States Magistrate Judge